1955

File No. Evp 1055

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B Class
Karnatak

RHB-e Department

B Branch.

R. Sweep No. 73

57

Subject:— Evacuee Property Act —

B/KBB

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P.6

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B Class
Karnatak

File No Evp 1055 — a B. 1958

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :—

File No._____

_____DEPT.

_____BRANCH.

References :—

Date.	To whom sent.	Notes and instructions.

No. F 10(1)-S-1/55
Government of India.,
Ministry of Rehabilitation.

New Delhi, the 12th January, 1955.

From

Shri L.J. Johnson, I.C.S.
Deputy Secretary to the
Government of India.

To

All Custodians of
Evacuee Property.

Subject:- Form of Register of Evacuee Properties to acquired under the Displaced Persons (Compensation and Rehabilitation) Act, 1954.

.....

Sir,

I am directed to refer to paragraph XI & XII of the minutes of the conference of the Custodians of Evacuee Property, held at New Delhi from the 29th November to 2nd December, 1954 (extracts enclosed for ready reference) and to enclose the proforma in which the registers of evacuee properties to be acquired under the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) should be prepared. The registers should be prepared in respe of all the evacuee properties except those falling under the following categories. :---

(1) Composite properties.

(2) Properties in respect of which proceedings under Sec. 7 are pending.

(3) Properties in respect of which applications under Section 40 are pending.

(4) Properties in respect of which applications under section 16 are pending.

(5) Properties in respect of which appeals/ revisions are pending before appellate or revisional authorities or the properties in respect of which the period for filling such appeals / revisions has not expired.

(6). Trust properties.

The registers should be completed by the end of February 1955 by all the Custodians of Evacuee Property except in the case of U.P., Madhya Bharat, and Rajasthan where it is expected that the completion of the work will take a longer time. The Custodians of Evacuee Property, U.P., Madhya Bharat and Rajasthan should please intimate to this Ministry the date by which the registers are likely to be completed.

2. The registers should be prepared separately for each town and in the case of big cities according to Municipal Wards. The registers should be forwarded to the Regional SettlementCommissioner concerned, as and when they are completed for any town or ward. The Regional Settlement

Commissioner will immediately after the receipt of the registers and clear lists of the evacuee properties in question to this Ministry for issuing the necessary notification regarding the acquisition of the properties under section 12 of Displaced Persons (Compensation and Rehabilitation) Act, 1954.

3. To avoid delay, the form in which the registers have to be prepared have not been printed. The form may be typed out and posted in ordinary registers as heading flap. Instructions for filling in some of the columns are given below.

(i) Column 3 -- In some towns revised municipal nos. have been allotted since partition. Columns have been provided for both old and new numbers. If no renumbering has been done, only one number need be mentioned in Col 3.

(ii) Column 5... Very brief particulars of the accommodation or area should be given e.g. two rooms 16' x 14'; one room 12' x 10'; two verandahs 2' x 8'each; courtyard 20' x 10'; total built up area ---------- sq.ft. Measurement of bath rooms kitchen and pantry etc. are not necessary but it will be useful to mention whether the house is fitted with electricity /water/ sanitary fittings.

(iii). Columns 7-9 -- The date of occupation is necessa ry as right of first refusal at the highest bid offered may have to be given to aperson who has been in occupation of the house continuously for a period of years.

(iv) Columns 10-12--- Every endeavour should be made to furnish information regarding arrears of rent but the submission of the registers should not be delayed on the ground that it is not possible to fill this column in respect of some of the properties. This infromation may be passed on to the Regional Settlement Commissioners as soon as possible.

(v) Columns 14 to 22--- These will be completed in the offices of the Regional Settlement Commissioner.

Column 21 is left blank for being utilised according to the requirements.

Yours faithfully,

(L.J. JOHNSON)
DEPUTY SECRETARY TO THE
GOVERNMENTOF INDIA.

Copy with a cop of the form ø forwarded for information to:-

1. The Custodian General of Evacuee Property, 'P' Block Delhi.
2. All Regional Settlement Commissioners.
3. All Parts 'A', 'B' & 'C' States (except Assam, West Bengal, Tripura, Manipur and Jammu and Kashmir.)
4. Property II Section.

(L.J. JOHNSON.)
DEPUTY SECRETARY TO THE
GOVERNMENT OF INDIA.

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IX. Disposal of uneconomic evacuee properties (Proforma No. IX).

In future all uneconomic properties will be required by Government under section 12 of the Displaced Persons (Compensation and Rehabilitation) Act 1954 and disposed of by the Chief Settlement Commissioner. The Custodians will, however, continue to be responsible for the sale of those properties for which the sale progress has already been announced by them. The Custodians should accordingly forward to the Settlement organisation a list of un-economic evacuee properties, the sale of which has not yet been advertised. The lists should be prepared with the utmost care so that only undisputed properties are included therein.

X. Progress of properties of registers relating to the allotment of evacuee houses. (Proforma No. X.)

The progress so far made in this behalf was reviewed. The Custodians were requested to complete the preparation of such registers with the utmost expedition, and forward them to the appropriate Regional Settlement Commissioner. In any case, the preparation and transmission of registers should be completed by 31st December 1954.

XI. Basic and other property registers

The progress so far made in regard to preparation of the basic property registers was reviewed and it appeared that the basic property registers in respect of urban evacuee property have been completed or are nearing completion in almost every State. As regards the preparation of basic records for rural property, since the Srinagar Conference a good deal of progress has been made but it appeared that it would be sometime before the records could be completed. The position in regard to each State was examined. It was noted that in the case of U.P. Madhya Bharat and Rajasthan, the completion of work will take a longer time. In the case of the other states the Custodians were hopeful of completing the records by the end of February 1955.

XII. Steps necessary for the transfer of property to the Chief Settlement Commissioner.

It was explained that only those properties which are free from disputes will be acquired by the Central government and will be disposed of by the Chief Settlement Commissioner under the Displaced Persons (Compensation and Rehabilitation) Act. The properties which cannot be immediately acquired are:-

(1) Composite properties.

(2) Properties in respect of which proceedings under section 7 are pending.

(3) Properties in respect of which applications under section 16 are pending.

(4) Properties in respect of which application under section 40 are pending.

(5). Properties in respect of which appeals/ revisions are pending before appelate or revisional authorities or the period for filing such appeals/ revisions has not expired.

(6). Trust properties.

The Custodians should, in the first instance, prepare a list

of the properties falling under the categories mentioned above and thereafter prepare a register of all undisputed properties. For this purpose a proforma is enclosed. The preparation of the register may for the present be confined to urban properties. As regards rural properties, instructions wil be issued later. While preparing the register of undisputed properties, they should add a remark in red ink in the basic property register against each excluded property the reason for its exclusion from the register of undisputed properties. This work should be given top most prbority and taken in hand forthwith. A monthly report on the progress of this work should also be sent to the Ministry mf regularly.

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No.	Locality.	Municipal No. Old / New.	Description of property (house, shop plot etc.)	Accommodation (in brief).	Occupation at time of acquisition.			Rent / Licence fee.			
					Name with parentage etc.	D.P. or Non-D.P.	Date of occupation.	Monthly rate.	Arrears Amount. as on		In of
-	2	3	4	5	6	6/ 7	8	9	10	11	1

Name of Evacuee owner from whom acquired.

umber a nd ıte of no .fication ıd Acqui- .tion.	Date of actual transfer to Chief Settlement Commissioner ..	Valuation of Reserv/e price.	Nam with address cf purchaseer or transferee.	Sale price (if sold).	Date of givieng possession to purchaser/ transferee with No,and date of order.	Initials of Manager.		REMA
14	15	16	17	18	19	20	21	22.

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Copy of a letter No. V-21 (15)/55/Prop-I, dated the 14th September 1955 from the Government of India, Ministry of Rehabilitation, New Delhi.

Subject:- Regularisation of unathorised occupation of evacuee properties.

" I am directed to state that the question regarding the regularisation of unathorised occupation of evacuee properties in the various States other than Delhi, was considered at the last Conference of the Rehabilitation Secretaries and Rehabilitation Ministers held in Srinagar in July 1955 and in the light of the decisions held it has now been decided that:-

(1) unathorised occupation of evacuee properties by displaced persons who came into possession of the evacuee buildings before the 1st January 1954, should be regualarised provided that the occupants concerned pay the entire rent due (including arrears) by the 31st December 1955.

(2) that the displaced persons having verified claims will be eligible for the facility of adjusting arrears of rent against the compensation due to them, and

(3) that those who fail to have their unauthorised occupation so regularised by 31st December, 1955, and those who had occupied evacuee properties unauthorisedly on or after 1st January 1954, will be liable to eviction and other penalties according to Law.

(4) where the concession mentioned in (1) above is considered necessary in the case of a non displaced unauthorised occupant the matter will be referred for the orders of this Ministry, giving full facts of the case and reasons in support of the State Government's recommendation.

2. I am to add that in the cases in which the rent has not yet been determined the Custodians may be asked to take immediate steps to do so on the basis of the Municipal records and /or spot enquiries by a responsible officer under the Custodians.

3. It has also beendecided that where independent evacuee properties are already lying vacant or they become vacant hereafter whether on account of the expiry of the existing leases or otherwise the properties should not be re-allotted but they should be sold in the prescribed manner, as soon as possible.

4. A copy of this letter is also being endorsed to the Custodians of Evacuee Property."

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No. EVP 1055/43482-B,
Rehabilitation, Housing and
Backward Classes Department
Sachivalaya, Foreshore Road,
Bombay (1), 5th October 1955.

Forwarded with compliments to :-

All the Deputy Custodians of Evacuee Property

for information and guidance, Clauses 1, 2 & 3 of the Government

P.T.O.

of India's let or under reference may be given adequate publicity.

By order and in the name of the Governor of Bombay,

(U.M. JANI).
Assistant Secretary to the Goverment of Bombay,
Rehabilitation, Housing and
Backward Classes Department

Copy forwarded with compliments to the Custodian of Evacuee Property, Bombay, for information and guidance.

R.H.B.C. Department.

B Br.

P.C's ~~m~~ will be issued on the renewed signature of the Assistant Secretary.

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